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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Haller et al.

Patent No.: 7,238,481 B2

Issued: June 15, 2007

Application No.: 10/825,355

Filed: April 14, 2004

Atty. Docket: NS400D1

For: RECOMBINANT PARAINFLUENZA VIRUS EXPRESSION SYSTEMS AND VACCINES

Request for Certificate of Correction

Commissioner for Patents
Attn: Certificate of Correction Branch
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.322, Patentees hereby request issuance of a Certificate of Correction in connection with the above-identified patent. The errors to be corrected by the Certificate of Correction are set forth on accompanying form PTO/SB/44.

The errors to be corrected are to issued claims 3, 4, and 13. Each of these claims improperly recite "FIN" (claims 3 and 13) or "UN" (claim 4) in place of "HN." These errors were incurred through Patent Office error. As evidence of such, Patentees attach a copy of an amendment to the claims filed January 16, 2007. The amendment shows at page 2, last line; page 3, line 6; and page 4, line 25 that now-issued claims 3, 4, and 13 should recite "HN" and not "FIN" or "UN" as appears in the issued patent.

It is believed that no fee is due for this request because the errors were incurred through error of the Patent Office. Should a fee be required, please charge our Deposit Account No. 500479.

Respectfully submitted,

Date: Nov. 15, 2007

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PTO/SB/44 (08-07)
Approved for use through 08/31/2007. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,238,481 B2

APPLICATION NO.: 10/825,355

ISSUE DATE : July 3, 2007

INVENTOR(S) : Aurelia Haller, Kathleen L. Coelingh

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 23
at line 54 "FIN" should read --HN--
at line 62 "UN" should read --HN--

Column 24 at line 64, "FIN" should read --HN--

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Aurelia Haller	Confirmation No.: 8632
Application No.: 10/825,355	Art Unit: 1648
Filed: April 14, 2004	Examiner: Salimi, Ali Reza
For: Recombinant Parainfluenza Virus Expression Systems And Vaccines	Attorney Docket No.: 7682-113-999

AMENDMENT UNDER 37 C.F.R § 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F. R. § 1.114, please enter the following amendments and consider the remarks below. Applicants submit concurrently herewith (a) a Request for Continued Examination (in duplicate), (b) an Amendment Fee Transmittal Form (in duplicate), and (c) Supplemental Information Disclosure Statement Under 37 C.F.R. §§1.56 and 1.97 with List of References citing References B01 and B02 (copies are enclosed).

Amendments to the Claims are reflected in the Listing Of Claims, which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

AMENDMENTS TO THE CLAIMS:

This Listing of Claims will replace all prior versions, and listings, of claims in the application.

LISTING OF CLAIMS:

Claims 1 to 24 (Canceled)

25. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of a Kansas-strain bovine parainfluenza virus type 3 genome; and

(ii) one or more heterologous sequences, wherein said one or more heterologous sequences have been added to said virus genome or have been substituted for nucleotide sequences of said virus genome, wherein said heterologous sequence is added at a nucleotide position of Kansas-strain bovine parainfluenza virus type 3 selected from the group consisting of nucleotide position 5041, the HN gene, and nucleotide position 8529.

26-30 (Canceled)

31. (Previously Presented) The method of Claim 25 wherein the heterologous sequence is derived from RSV, PIV, New Castle Disease virus, Sendai virus, Infectious Laryngotracheitis virus or influenza.

32. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of Kansas-strain bovine parainfluenza virus type 3 genome comprising nucleotides 1-5041 and nucleotides 8529-15,456 of the genome of Kansas strain bovine parainfluenza virus type 3; and

(ii) F and HN gene sequences of human parainfluenza virus type 3.

33. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of Kansas-strain bovine parainfluenza virus type 3 genome; and

(ii) the F and HN gene sequences of human parainfluenza virus type 3, wherein (i) PCR amplification of nucleotide 5,255 to 6,255 of the chimeric parainfluenza virus results in a DNA fragment that is recognized by restriction endonucleases Sac I and Bgl II; and (ii) PCR amplification of nucleotide 9,075 to 10,469 of the chimeric parainfluenza virus results in a DNA fragment that is recognized by restriction endonucleases Pvu II and Bam HI.

34. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of Kansas-strain bovine parainfluenza virus type 3 genome comprising nucleotides 1-5041 and nucleotides 8529-15,456 of the genome of Kansas strain bovine parainfluenza virus type 3; and

(ii) one or more sequences derived from RSV, PIV, New Castle Disease virus, Sendai virus, Infectious Laryngotracheitis virus or influenza.

35. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of Kansas-strain bovine parainfluenza virus type 3 genome comprising nucleotides 1-5041 of the genome of Kansas-strain bovine parainfluenza virus type 3; and

(ii) one or more sequences derived from RSV, PIV, New Castle Disease virus, Sendai virus, Infectious Laryngotracheitis virus or influenza.

36. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of Kansas-strain bovine parainfluenza virus type 3 genome; and

(ii) one or more sequences derived from RSV, PIV, New Castle Disease virus, Sendai virus, Infectious Laryngotracheitis virus or influenza, and wherein said sequences have been added at a nucleotide position of Kansas-strain bovine parainfluenza virus type 3 selected from the group consisting of nucleotide position 5041, the HN gene, and nucleotide position 8529.

37. (Currently Amended) A method of ~~administering~~ administration of ~~to a subject~~ a recombinant parainfluenza virus to a subject comprising: administering to the subject a recombinant parainfluenza virus, said virus comprising:

(i) nucleotide sequences of Kansas-strain bovine parainfluenza virus type 3 genome comprising nucleotides 8,529-15,456 of the genome of Kansas-strain bovine parainfluenza virus type 3; and

(ii) one or more sequences derived from RSV, PIV, New Castle Disease virus, Sendai virus, Infectious Laryngotracheitis virus or influenza.

38. (Previously Presented) The method of claim 31, 34, 35, 36 or 37, wherein the one or more sequences are derived from RSV, PIV, or influenza.

39. (Previously Presented) The method of claim 31, 34, 35, 36 or 37, wherein the one or more sequences are derived from human RSV, human PIV, or human influenza.

40. (Previously Presented) The method of claim 31, 34, 35, 36 or 37, wherein the one or more sequences are derived from both human RSV and human PIV.

41. (Previously Presented) The method of claim 34. 35, 36 or 37, wherein the one or more sequences are the F and HN gene sequences of human PIV type 3.

42. (Previously Presented) The method of claim 34, 35, 36 or 37, wherein the one or more sequences are the F and HN gene sequences of human RSV.

43. (Previously Presented) The method of any one of claims 25, 31, 32, 33, 34 35 or 37, further comprising administering an adjuvant.

44. (Previously Presented) The method of claim 43, wherein the adjuvant is a mineral gel, a surface active substance, a peptide, or an oil emulsion.

45. (Previously Presented) The method of claim 44, wherein the adjuvant is aluminum hydroxide, lysolecithin, a pluronic polyol, a polyanion, BCG or Corynebacterium parvum.

46. (Previously Presented) The method of any one of claims 25, 31, 32, 33, 34, 35 or 37, wherein the chimeric parainfluenza virus is administered orally, intradermally, intramuscularly, intraperitoneally, subcutaneously, or intranasally.

REMARKS

Claims 25 and 31-46 were allowed in the Notice of Allowability mailed November 28, 2006. Applicants have filed herewith a Request for Continued Examination and a Supplemental Information Disclosure Statement. The present amendment has been made to simply clarify the steps of the claimed methods. No new matter has been introduced.

Applicants request that the present amendment be entered and the references listed in the Supplemental be considered by the Examiner.

CONCLUSION

Applicants respectfully request that the above amendments be entered and made of record in the present application file.

Respectfully submitted, by: Jacqueline Benn
Reg No. 43,492

Date: January 16, 2007

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